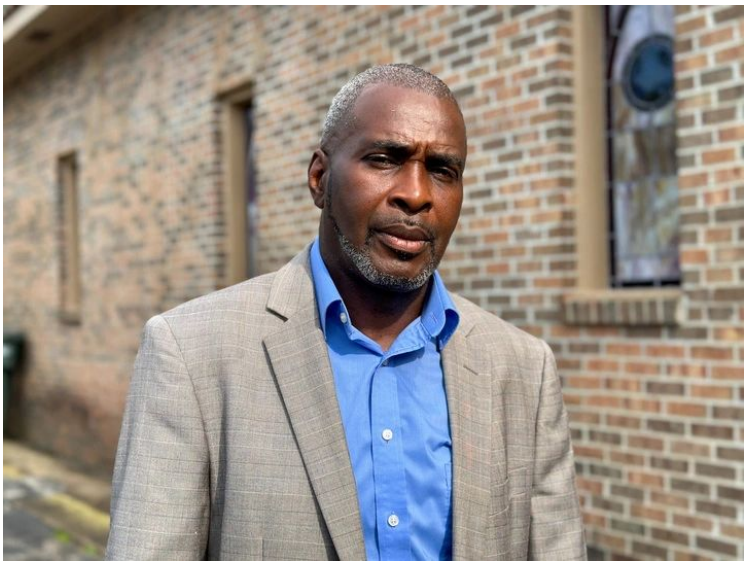
Braxton won the election, the outgoing mayor and his cronies refused to accept it

by Adria Walker The Guardian



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In November 2020, Patrick Braxton, a volunteer firefighter and contractor from Newbern, Alabama, was elected mayor of the 133-person town. He wanted to have a peaceful and timely transfer of power, so he repeatedly attempted to contact the town's previous mayor, Haywood "Woody" Stokes III, but Stokes would not return his calls.

Braxton, who is Black, decided to go to the town hall and talk to Stokes, who is white, in person. He told Stokes that he would need a key to the town hall to begin his duties. Stokes acquiesced and gave him a key, but when Braxton entered the building, he found that town hall had been stripped of its records, beyond a couple boxes of discarded items that looked like trash. He also said he noticed that Stokes had given keys to friends of his, people who were not council members and had no official business with the city, who were walking in and out of the building.

So Braxton changed the locks. He and his appointed city council held their first town meeting. Shortly thereafter, Stokes changed the locks again, locking the new mayor out of town hall and effectively preventing him and his council from serving their duties.

The battle of the locks was part of a long power struggle that started earlier that year when Braxton won the first mayoral election in the town in over a century.

Braxton's decision to run for mayor upended a decades-long political system of entrenched disenfranchisement and effective mayoral dictatorship. For decades, mayors had been appointed, not elected. Braxton's campaign triggered the first election in recent history, and made him the first Black mayor since the town was established 169 years ago.

From the day he was sworn in, until now, nearly three years later, Stokes and his cronies have refused to acknowledge Braxton's legitimacy as mayor, going so far as to prevent him from accessing city mail and funds. Earlier this year, Braxton and his four appointed city council members filed a lawsuit against Stokes and his city council alleging that the former mayor and his allies violated federal civil rights law by preventing Braxton from acting as mayor.

"[They're] so stuck in their ways, and don't want nothing else for the town. They just want it to stay the same," Braxton said. "I hope they break and just go ahead and release everything to me. If not, we'll just go to court."

'We don't have elections for mayor'

Newbern was incorporated in 1854, the year the town held its first election. Encyclopedia of Alabama notes that "Newbern quickly developed into a cotton economy fueled by slave labor."

In the century following the civil war, the town's economy collapsed. By the 1950s, the cotton industry had become mechanized and made much human labor obsolete, leading to a lack of jobs and a dip in Newbern's population.

In the nearly two centuries since the town's founding, it has retained two aspects of its early days: it has a majority Black population, with, until Braxton, a majority white leadership. Newbern is about 80% Black and 20% white. Until Braxton appointed the four members of his city council, there had only been one Black city councilmember.

For as long as anyone can remember, the mayor had been either an inherited or appointed position, with multiple mayors, including Stokes, serving in the position for over a decade. Robert L Walthall, a descendant of the town's early founders, was mayor of Newbern for 44 years, while Paul Owens was a city councilman for 33 years before becoming mayor for 12 years. Stokes became mayor in 2008, reigning until Braxton's election 12 years later.

Braxton followed all of the legal procedures to declare his candidacy, despite Stokes's efforts to obscure from residents that they could run for mayor or for the council.

Until Braxton decided to throw his hat in the ring, people in Newbern did not realize they had the option to run for mayor or council, or that elections were at all possible. Braxton said he never heard anything about elections in Newbern as a child. Nor did LaQuenna Lewis, who has been supporting Braxton in his efforts to be recognized as mayor.

"We were just told that this is who your mayor is," Lewis said. "It's been that - this is like 60 years plus. We've been told that this is our mayor and this is how things have

been. When you look at the town and the history, years of oppression create a certain condition and a certain way of thinking. It has been accepted."

The Newbern Mercantile, a general store, is the small town's hang-out spot. In early 2020, it was there that Braxton ran into Stokes and told him that he was running for mayor and that he needed Stokes to give him the proper paperwork. Braxton said Stokes told him that wasn't possible.

The Newbern Mercantile. Photograph: Andi Rice/The Guardian

"We can't have elections here. We don't have ballot boxes,'" Stokes told him.

Braxton was undeterred. He had plans for how he wanted to improve his community as mayor.

"After serving my community as a volunteer firefighter and first responder and seeing what the needs were in the community, that's what motivated me to go ahead and put in my statement for a candidate," he said.

Braxton asked Stokes for the application materials. Stokes told him to wait there, and that he would go home to see if he had the proper materials. Stokes returned, told him that he could not find the documents and that Braxton would have to drive to the

Peoples Bank in Greensboro, where Newbern's postmaster, Lynn Thiebe, worked, for the papers.

Braxton drove to the bank.

According to the lawsuit, Williams gave him the wrong documents, attempting to obstruct his candidacy.

Later, with the help of people in the county courthouse, he was able to fill out the correct forms. By the end of July 2020, Braxton received a call from the probate judge Arthur Crawford, the election official in Hale county. Crawford told him that he was the only person who qualified to run for mayor and, therefore, was mayor by default, Braxton said.

This process should not have been unfamiliar to Stokes, who, in 2008, became mayor because no one else qualified.

Because no one had run for city council, Crawford and fourth circuit judge Marvin W Wiggins told Braxton to appoint his council. Braxton asked both white and Black residents, as part of his efforts to unify the town. All of the white residents said no.

So, on 2 November 2020, Crawford swore in Braxton and his four councilmembers, James Ballard, Barbara Patrick, Janice Quarles and Wanda Scott.

'You are not the mayor'

Unbeknownst to Braxton or his city council, the previous administration had been crafting a plan to usurp power. It would not be until over a year later that Braxton found out exactly what had happened. In the meantime, he and his city council assumed office.

The week after being sworn in, they passed a resolution officially affirming their right to act as signatories for the town at the bank. Braxton took the resolution to the bank, but was told that he would not be able to speak with anyone. He returned everyday, even bringing his oath of office. The bank refused to recognize it, saying that Braxton was not the mayor.

That's when Stokes attempted to lock him out of town hall. But the antics didn't stop there. The following January, Braxton went to the post office to retrieve the city's mail. He paid for the city's post office box himself, because he had been barred from using city accounts. He asked the white woman working there why he wasn't getting city mail. She told him that she had received an email saying that he was not the mayor.

During the brief time he had access to town hall, Braxton retrieved two boxes. At the time, he thought the boxes were full of junk, but he decided to keep them away. When

he and Lewis went through them later, they found documents that outlined how the lame duck council had kept their positions. Through the haphazardly tossed box, Braxton and Lewis were able to make a timeline of events.

Despite knowing his intention to run for mayor and despite knowing he had followed all of the legal procedures for his candidacy, the former mayor and his city council were shocked that Braxton was successful in his efforts. So they did something about it.

Shortly before Braxton was sworn in, the former city council held a secret meeting, in which they acknowledged they had made a mistake in not filing their paperwork by the deadline.

To resolve their "mistake", the lame duck councilmembers decided to have an election, for which they would all run for office. The councilmembers filed all of the necessary paperwork, albeit late, and, 10 days later, declared themselves councilmembers by default because no one else ran in the election.

The problem is that no one else even knew about the election, as there was no printed notice.

Patrick Braxton with councilmembers Janice Quarles and Barbara Patrick. Photograph: Andi Rice/The Guardian

In the brief filed by Stokes and his allies in response to Braxton's lawsuit, they argue that they did not act in the wrong "in attempting to rectify a decades old mistake by

holding a special election".

Because the town had never had a proper election, Stokes argues that they could not have known it was illegal for them to attempt to uphold their positions through a closed election.

"There is no clearly established law regarding what to do when an Alabama town does not hold elections for decades," their brief said.

The "elected" councilmembers started holding meetings without telling Braxton. Then, because he wasn't attending the meetings, they voted him out as mayor and appointed Stokes instead.

'The community has been failed'

A significant percentage of Newbern residents, Black and white, live below the poverty level. When Lewis, who was born in Newbern, moved her family back to the area, she decided to open a non-profit that would provide needed services, like food distributions, to people across Hale county.

She found out that Braxton was still trying to take his seat as mayor. And she joined forces with him to remedy the chaotic political situation, largely by themselves.

In October of last year, Lewis took her children to the movies. The evening quickly turned horrific as they arrived back home.

Lewis's house was on fire. The family arrived just in time to see the second story collapse.

"When something like that happens, you lose everything," she said. "And we're just trying to pick up the pieces."

The cause of the fire is still undetermined. There is a GoFundMe to help her family get on their feet.

Lewis said it wasn't until she began receiving hate mail that she realized there might be a connection between the fire and her support for Braxton. One note she received reads: "You f**cking n****r b***h get your n****r ass out of my town right now with non n****r mayor braxton or die or get burn down. I've been watching you 4 kids right and your n****r new home. If you do [sic] get out of my town you and that n****r non mayor Braxton gona [sic] die." The letter included images of swastikas and a drawing of Braxton and Lewis being hung from a tree.

Braxton, too, started experiencing retaliation after he won. He has been ostracized by some members of the white community in town, though, some support him and still consider him both a friend and their mayor.

When Black families called in to report fires, he would be the only firefighter to show up to the call. He would have to call firefighters from neighboring towns to help.

'I'd like for young people to follow in my footsteps and know that's why I'm fighting,' said Braxton. Photograph: Andi Rice/The Guardian

Later, a Black woman flagged Braxton down to tell him her elderly sister had gone into cardiac arrest. Braxton ran to the fire department to get a defibrillator, but he had been locked out of the building. He drove home, returned to the department, got the machine and tried to revive the woman, but it was too late.

Following the incident, Stokes and the council served Braxton, who has won awards for his service as a firefighter, with papers for suspension from the department, accusing him of theft and not showing up for trainings. After the Hale county emergency management agency director intervened, Braxton was reinstated.

Braxton has also spotted drones following him and his wife around town, at their home and at his mother's home. At one point, he said, a white man attempted to run him off the road.

Braxton said the intimidation and response to the fair election has been "disappointing", but he hopes he is encouraging younger generations.

“I’d like for young people to follow in my footsteps and know that’s why I’m fighting,” he said.

While Braxton hopes that his efforts will show people in Newbern that they can and should vote and run for elections, the fallout has also shown them the potential threats to doing so.

‘The need is greater than the threat I’ve been under’

Despite everything, Lewis and Braxton are still committed to serving the town.

While Braxton hasn’t been able to fully act in his elected capacity, he has tried his best to serve his community anyway

During the early days of the Covid-19 pandemic, despite being locked out of town hall and barred from accessing the city’s funds, Braxton still did what he could to help: driving to other towns, getting Covid supplies and passing everything out to Black and white citizens.

Braxton and Lewis are working to develop a sustainable community garden and farmer’s market to address food insecurity in the town. They have created Alabamalove.org, to support their efforts.

And, mainly, Braxton wants the situation behind them. He plans to run again in 2025.